



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

RCH/SPN/HDM/CRH
F. #2018R01309

*271 Cadman Plaza East
Brooklyn, New York 11201*

July 26, 2022

By ECF

The Honorable Brian M. Cogan
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Rashid Sultan Rashid Al Malik Alshahhi, et al.
Criminal Docket No. 21-371 (S-1) (BMC)

Dear Judge Cogan:

The parties respectfully submit this proposed joint agenda for the status conference in the above-captioned matter scheduled for July 27, 2022, at 12:00 p.m.

- Trial Schedule: The parties seek to confirm the current trial and pre-trial schedule. The parties are submitting proposed juror questionnaires for the Court's consideration. It is the parties' understanding that prospective jurors will fill out questionnaires on August 1 and 2, 2022 in the Ceremonial Courtroom. The parties wish to confirm that the government will receive copies of the completed questionnaires on August 2, 2022, and will immediately prepare copies for defense counsel. Under the current schedule, the parties understand that they shall provide the Court with lists of jurors who are acceptable to both sides and jurors whom both sides believe should be excused by August 23, 2022, with the parties submitting the list of jurors about whom there is a disagreement and supplemental voir dire questions on August 26, 2022. Jury selection would begin on September 19, 2022.
- Outstanding and Forthcoming Motions: There are several pending motions before the Court, including the defendants' motion for reconsideration and the defendants' motion to sever the trial.
- CIPA: The defendants indicated they will inquire of the Court the status of its review of government submissions and whether any additional discovery material will be provided.
- Motion for a Curcio Hearing: On July 22, 2022, the government filed a letter advising the Court of a potential conflict of interest involving counsel for the defendant Matthew Grimes. See Dkt. No. 128. The government respectfully requests that the Court set a date for a hearing pursuant to United States v. Curcio, 680 F.2d 881 (2d Cir. 1982), and

determine whether Mr. Grimes waives this potential conflict. Mr. Grimes respectfully submits that there is no potential conflict of interest and requests that the Court allow these issues to be resolved through Mr. Grimes' representation that he is aware of the issue raised in the government's letter and which neither he nor his various counsel see as a potential conflict for which a hearing is required. See Dkt. No. 129.

Respectfully submitted,

BREON PEACE
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By: /s/ Matthew J. McKenzie
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cc: Counsel for Thomas Joseph Barrack (by ECF)
Counsel for Matthew Grimes (by ECF)
Clerk of the Court (BMC) (by ECF)